

AO 91 (Rev. 11/11) Criminal Complaint

Officer:

AUSA: Susan E. Fairchild

Hector Rivera

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UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Elvin Joaquin SALINAS-AGUILAR,
a/k/a Pedro RUIZ-VENTURA

Case No.

Case: 2:24-mj-30080

Assigned To : Unassigned

Assign. Date : 3/1/2024

CMP USA V SALINAS-AGUILAR (LH)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 26, 2024 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

Title 8, United States Code, Section 1326(a), (b)(1)

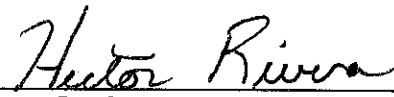
Unlawful Re-entry after Removal from the United States

This criminal complaint is based on these facts:

On or about February 26, 2024, in the Eastern District of Michigan, Southern Division, Elvin Joaquin SALINAS-AGUILAR, an alien from Honduras who was previously convicted of a felony offense, was found in the United States after having been denied admission, excluded, deported, and removed therefrom on or about May 12 2023, at or near Alexandria, Louisiana and not having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326 (a), (b)(1).

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
 and/or by reliable electronic means.

Date: March 1, 2024City and state: Detroit, MI

 Complainant's signature

Hector Rivera, Deportation Officer

Printed name and title



Judge's signature

Anthony P. Patti, United States Magistrate Judge

Printed name and title

AFFIDAVIT

I, Hector Rivera, declare the following under penalty of perjury:

1. I am a Deportation Officer employed with Immigration and Customs Enforcement (ICE) of the United States Department of Homeland Security, having served with ICE since February 2007. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers and record checks of law enforcement databases. I have also reviewed relevant immigration records relating to Elvin Joaquin SALINAS-AGUILAR, a/k/a Pedro RUIZ-VENTURA, which reveal the following:
2. Elvin Joaquin SALINAS-AGUILAR is a forty-two-year-old citizen and a native of Honduras who last entered the United States on an unknown date, at an unknown place, without inspection by the U.S. Department of Homeland Security.
3. On November 11, 2006, the United States Border Patrol (USBP) encountered SALINAS-AGUILAR under alias Pedro RUIZ-VENTURA, claiming to be from Mexico at or near Douglas, AZ, and voluntarily returned him back to Mexico on the same date.
4. On April 25, 2013, the Sixth Circuit Court in Oakland County, MI convicted SALINAS-AGUILAR for the misdemeanor offense of Operating While Intoxicated and felony offense of Police Officer -Fleeing 4th degree and sentenced SALINAS-AGUILAR to fines-cost-restitution in the amount of \$248 and 77 days' jail.
5. On April 2, 2017, the Oakland County Sheriffs Office arrested SALINAS-AGUILAR for the felony offenses of Assault Excluding Sexual, Dangerous Drugs and Weapons Offense. On January 11, 2022, the 50th District Court in Pontiac, MI issued Criminal Bench Warrant for Failure to Appear on Dangerous Drugs charges.
6. On April 26, 2017, Immigration and Customs Enforcement encountered SALINAS-AGUILAR at or near Detroit, MI, and served him with an I-862 (Notice to Appear) form. On May 18, 2017, an Immigration Judge in Detroit

MI ordered SALINAS-AGUILAR removed to Honduras. On June 14, 2017, ICE removed SALINAS-AGUILAR to Honduras via Alexandria, Louisiana.

7. On April 21, 2021, Detroit ICE ERO encountered SALINAS-AGUILAR at or near Pontiac, MI, and served with an I-871 (Notice of Intent/Decision to Reinstate Prior Order) form.
8. On July 19, 2021, the United States District Court Eastern District of Michigan convicted SALINAS-AGUILAR of Title 8 U.S.C. §1326(a) and sentenced to serve six months custody in the Bureau of Prisons (BOP).
9. On December 03, 2021, ICE ERO removed SALINAS-AGUILAR to Honduras via Alexandria, Louisiana.
10. On April 07, 2022, USBP encountered SALINAS-AGUILAR at or near Kingsville, Texas. SALINAS-AGUILAR admitted to being a citizen and national of Honduras without the necessary legal documents to enter, pass through, or remain in the United States. SALINAS-AGUILAR also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry. SALINAS-AGUILAR was found to be amenable to removal to Honduras under Title 42 via the Rio Grande Valley.
11. On April 13, 2022, USBP encountered SALINAS-AGUILAR at or near McAllen, TX, and served him with an I-871 (Notice of Intent/Decision to Reinstate Prior Order) form.
12. On October 21, 2022, the United States District Court Southern District of Texas convicted SALINAS-AGUILAR of Title 8 U.S.C. §1326(a) and (b) and sentenced him to fifteen months in BOP custody.
13. On May 12, 2023, ICE ERO removed SALINAS-AGUILAR to Honduras via Alexandria, Louisiana.
14. On February 26, 2024, the ERO Detroit North Team traveled to the area of Justine St. and E. McNichols Rd. in Hamtramck, MI in search of criminal noncitizen Elvin Joaquin SALINAS-AGUILAR, who is the target of an approved Field Operations Worksheet. At approximately 10:00 a.m., a male matching the physical description of SALINAS-AGUILAR exited the residence and entered a green colored work truck. The truck departed the

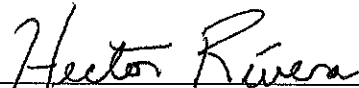
residence. Officers initiated a vehicle stop on the green truck to identify the occupants of the vehicle based on the reasonable suspicion that this individual matched the description of the target and was seen exiting the target's known residence. Officers contacted the occupants of the vehicle and requested identification from the driver. The driver presented a USC ID bearing the name of Kevin Castro. The front passenger did not have any documents, but stated his name was German Alexander Ortiz-Torres from Honduras.

Torres-Ortiz stated he was illegally in the United States without authorization to reside or remain in the United States. ICE Officers ran system checks on Ortiz-Torres, receiving negative results on Immigration history and criminal history. The rear passenger, ICE Officers identified as SALINAS-AGUILAR via an approved Field Operations Worksheet photo. SALINAS-AGUILAR stated he is a citizen and national of Honduras, who is not in possession of valid immigration documents allowing him to be or remain in the United States legally. Officers asked SALINAS-AGUILAR to exit the vehicle and placed him under arrest. Officers transported SALINAS-AGUILAR to the Field Office for processing, without incident. The other two individuals were released at the scene of the encounter.

15. On February 26, 2024, Elvin SALINAS-AGUILAR, DOB: XXXX1982, AXXX XXX 109 fingerprints were searched in the ICE/FBI systems by Immigration and Customs Enforcement officers. On February 26, 2024, Elvin SALINAS-AGUILAR, DOB: XXXX1982, AXXX XXX 109 fingerprints returned with a positive match for Elvin SALINAS-AGUILAR, DOB: XXXX1982, AXXX XXX 109 a previously removed non-citizen.
16. The aforementioned detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any non-citizen entering or attempting to enter the United States, or any non-citizen present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of non-citizens.
17. On or about February 22, 2024, ICE Officers reviewed immigration file records and Department of Homeland Security electronic records, which revealed that Elvin SALINAS-AGUILAR, AXXX XXX 109, did not obtain

the express consent of the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission to the United States.

18. Based on the above information, I believe there is probable cause to conclude that Elvin SALINAS-AGUILAR, is a non-citizen, who had previously been convicted of a felony offense and who was found in or reentered the United States after deportation or removal, without obtaining express permission from the Attorney General of the United States or from the Secretary of the Department of Homeland Security, to re-apply for admission, all in violation of Title 8, United States Code, Section 1326(a), (b)(1).



Hector Rivera, Deportation Officer
Immigration and Customs Enforcement

Subscribed and sworn to before me in my
presence and/or by reliable electronic means.



Anthony P. Patti March 1, 2024
United States Magistrate Judge